

Municipal Council Meeting Minutes  
Town Hall Auditorium  
February 10, 2004

Meeting called to order 7:00PM

Roll Call: James Chandler, Ann Connolly King, Christopher Lawrence, Mario Pinierio, Robert Woodsom, Roger Benson and Joseph McMilleon. Not present Esther Headley and Anne Larnard

Pledge of Allegiance – James Chandler

Councilor Benson moved to accept minutes of January 13, 2004, Councilor Pinierio seconded. Voted – 7 Yes, 2 not present (Headley, Larnard)

## **PUBLIC COMMENT**

Brian Gilbert – I would like to take the opportunity to inform you of our snow removal operation within the central business district, specifically a plan that deals with overnight parking and helping set expectations for both the residents and DPW with regard to snow removal. We want minimize the impact on their lives and be able to get our work done. In summary the plan outlines two areas of the central business district, the first being Friend Street which we have 54 spaces, two of which are handicapped and Water Street, the lower level has 32 spaces and 2 handicapped. Water Street is not so much an issue because it is covered. The problem is when we need to have cars moved at a specific time so that we can come in and plow that area. We are asking folks to move their cars by 7AM. If we have a storm that starts at 8AM, the next morning you would be expected to move your car by 7AM. If it starts before 7AM, let's say midnight and it is a 24 hour storm we would expect the residents would move the car at 7AM and move it again the following morning at 7AM as well. This gives us an opportunity to clear the area that we have designated for overnight parking.

Councilor Chandler – I read this over and feel it is a good plan.

Brian Gilbert – And the expectation is a very important thing, so you are not knocking on their doors or calling them at 2 o'clock in the morning and asking them to move their cars. This way it kind of outlines what our responsibilities are but also gives some responsibility to the people that park there.

Don Fuhrman – Master Plan Steering Committee - I have an update on the Master Plan Steering Committee and upcoming meetings. The Phase I report has been released. It is the existing conditions report and it is available through town hall and the web site is [www.ci.amesbury.ma.us/masterplan](http://www.ci.amesbury.ma.us/masterplan). The January 24th gathering was a good success. About 100 people showed up and we got lots of comments and feed back from the draft strategies and actions that the focus groups had assembled. We are consolidating those into the document set with the help of the consultants. The recommendation maps received comments at the meeting and those comments are being folded into the recommendation maps. Those will be released as another set of deliverables later on in the process. The focus groups will continue to work through February and March for the Phase II and Phase III reports and will be refining the strategies and actions and beginning the implementation planning for those actions. There will be some high level schedules and priorities set that will place those projects out in time over the next 6 months and 2 -3 years. We hope to fold into that some high level plans for funding and costs associated with those plans. Some of the plans won't require a whole lot of funding for instance a zoning change would be very minimal

cost where as refurbishing a mill building would be a pretty big cost. We would be looking for trade offs for funding possibilities for those kinds of projects. The baseline maps are complete and the recommendation maps are starting to get work and the Merrimac Valley Planning Committee are developing those maps with our input. The focus groups will continue to meet into late March. Regarding the community out reach we are planning a video project that will highlight and discuss the master plan process and what it is for. There are regular news articles being written by the Focus Groups and with the help of OCED and we continue to update the website. The MPSC business meetings are held the first Thursday from 7:00 – 9:00 at the Amesbury Middle School Library. The Focus Group meetings are posted on the web site and at town hall. They usually occur during the second or third week of the month. The locations will be announced. The next community gathering will be April 24<sup>th</sup> and we are still working out the details. We have to have a draft schedule for these future projects in place at that time. The presentation of the final draft version of the Master Plan will be in late May. That will give us a month to include any comments at that point that come as a result of that review by the community and the Municipal Council and Mayors office. We plan to have the Master Plan adopted by the Planning Board and the Municipal Council by June 30, 2004 which is also a deadline of the state which is helping to fund a major portion of this plan, that date really can't slip any.

President McMilleon – I will close the public comment.

## **LICENSES AND PERMITS**

### **2004-1 Pole Hearing – Mass Electric/Verizon New England – Old County Road**

President McMilleon – reads 2004-1 into the record and asks for a representative.

Peter Glenn, Mass Electric – We would like to install pole 10 right at the intersection of Lakeside Terrace, Amesbury Ave and Old County Road. We would like to extend the lines further up the street at that location.

President McMilleon – Have you heard from any of the abutters?

Peter Glenn – I wasn't the engineer handling this job but, I was in contact with the engineer and they have been in contact with one of the neighbors and they are all set out there.

Councilor Pinierio – Wasn't there a man complaining about the pole being put in front of their house and they did not want it, in front of the house?

Christine Reed – Mr. English from Mass Electric contacted him.

Councilor Lawrence – move for approval of 2004-1

Councilor Pinierio – second

Voted – 6 Yes, 1 Not Voting (Benson), 2 Not present (Headley, Larnard)

### **2004-2 Automatic Amusement License – Tanya's Pizza**

President McMilleon – reads 2004-2 into the record and asks a representative to speak.

Tanya Meletrides – I want to put video games into the pizza shop.

Councilor Pinerio – Do these video games have any kind of violence in them do they?

Tanya Meletrides – No they don't.

Councilor Lawrence – Are they new or existing?

Tanya Meletrides – I have them now, I didn't realize I needed a license.

Councilor Pinerio – Did you know you have to get a permit to have those machines in there?

Tanya Meletrides – Yes I do now.

Councilor Woodsom – I move for approval of 2004-2 as submitted.

Councilor Pinerio – seconded

Voted - 7 Yes, 2 Not Present (Headley, Larnard)

## **SECOND READINGS**

**2004-4 An Order to request the Municipal Council accept a \$1,200.00 grant from the Mass Emergency Mgt. Agency – Mayor Hildt sponsor**

President McMilleon – reads 2004-4 into the record and asks for a recommendation.

Councilor Benson – I move the recommendation of the finance committee to accept.

Councilor Chandler – second

Roll Call – 7 Yes, 2 Not Present (Headley, Larnard)

## **NEW BUSINESS**

**2004-8 An Order to request the Municipal Council accept a \$4,000.00 grant from the RAMSLEG Foundation for the Town's Theatre Arts Program**

President McMilleon – reads 2004-8 into the record

Councilor Benson – I move we refer this to the Finance meeting 2/25/04 and schedule a public hearing.

Councilor Lawrence – second

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

**2004-9 An Order to request the Municipal Council to accept an in-kind Municipal Recycling Grant in the amount of \$10,000 – Mayor Hildt sponsor**

President McMilleon – reads 2004-9 into the record.

Councilor Woodsom – I move we send this to the Finance Committee on 2/25/04 for a public hearing.

Councilor Pinierio – seconded.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

**2004-10 Request a vote to file a Home Rule Petition with the State Legislature for the formation of the Amesbury Economic development Corp. – Mayor Hildt sponsor**

President McMilleon – reads 2004-10 into the record.

Councilor Lawrence – I move to refer 2004-10 to the Finance Committee on 2/25/04 and the Ordinance Committee 3/4/04 for a public hearing.

Councilor Pinierio – seconded.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

**2004-11 An Order to request that the Municipal Council accepts a grant in the amount of \$1,260.00 from MIIA – Mayor Hildt sponsor**

President McMilleon – reads 2004-11 into the record.

Councilor Woodsom – I move to refer 2004-11 to the Finance Committee for a public hearing 2/25/04.

Councilor Benson – seconded

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

**2004-12 Request the Municipal Council authorize the Town of Amesbury to overspend the Snow & Ice FY04 budget – Mayor Hildt sponsor**

President McMilleon – reads 2004-12 into the record

Councilor Woodsom – I move we send this to the Finance Committee for a public hearing on 2/25/04.

Councilor Benson – second

Voted – 7 Yes, 2 Not present (Headley, Larnard)

**2004-13 Amend Amesbury Town Bylaw, Article 25 – Animal Control & Licensing By-Law, Section 25.7 and 25.8 – Councilor Pinierio sponsor**

President McMilleon – reads 2004-13 into the record.

Councilor Benson – I move we refer this to the Ordinance Committee for 3/4/04 and a public hearing on 3/09/04.

Councilor King – seconded.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

**2004-14 An Order to authorize the transfer of \$15,000.00 from Reserve for Unforeseen to the Master Plan – Mayor Hildt sponsor**

President McMilleon – reads 2004-14 into the record.

Councilor Pinerio – I make a recommendation that we bring this to the Finance Committee 2/25/04 and a public hearing.

Councilor Woodsom – seconded

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

**2004-15 An Order to authorize the transfer of \$11,700.00 from Reserve for Unforeseen to Mayor Personnel Services – Mayor Hildt sponsor**

President McMilleon – reads 2004-15 into the record.

Councilor Woodsom - I move that we send this to the Finance Committee for a public hearing on 2/25/04.

Councilor Benson – seconded.

Voted 7 Yes, 2 Not Present (Headley, Larnard)

**2004-16 An Order to vote o appropriate Free Cash to replace three (3) police cruisers – Mayor Hildt sponsor**

President McMilleon – reads 2004-16 into the record.

Councilor Woodsom – I move we send this to the Finance Committee on 2/25/04 for a public hearing.

Councilor Benson – seconded

Voted 7 Yes, 2 Not Present (Headley, Larnard)\

**2004-17 An Act to provide for services to Christopher Way – Councilor Benson sponsor**

President McMilleon – reads 2004-17 into the record.

Councilor Benson – I move we refer this to the Ordinance Committee 3/04/04 and schedule a public hearing for the Municipal Council meeting on 3/9/04.

President McMilleon – I have a not that this should also go to the Finance Committee 2/25/04 for a public hearing.

Councilor Benson – I will accept that amendment.

Councilor Pinerio – seconded.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

**2004-18 An Act to reorganize the Amesbury Board of Assessors – Councilor Benson and Councilor Lawrence sponsor**

President McMilleon – reads 2004-18 into the record.

Councilor Benson – I move we refer this to the Ordinance Committee for the 3/4/04 meeting and also a public hearing at the Municipal Council 3/9/04.

Councilor Chandler – seconded.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

**2004-22 Amend Amesbury Zoning Bylaw Section XI.H Planned Unit Development (PUD) by special Permit – Mayor Hildt sponsor**

President McMilleon – reads 2004-22 into the record.

Councilor Woodsom – I move that we send this to the Planning Board and also to the Ordinance Committee 3/4/04 and a public hearing on 3/9/04 Municipal Council meeting.

Councilor Chandler – seconded.

Voted – 7 Yes, 2 Not present (Headley, Larnard)

**2004-23 Amend Amesbury Zoning Bylaw Section V.E.6.D.1 – Obtaining permits for single unit/lot housing developments – Mayor Hildt sponsor**

President McMilleon – reads 2004-23 into the record.

Councilor Benson – I move that we refer this to the Planning Board and the Ordinance Committee with a public hearing at the Municipal Council meeting on 3/9/04.

Councilor Chandler – seconded.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

**2004-24 Amend Amesbury Zoning Bylaw Section V.E.6.A – Mayor Hildt sponsor**

President McMilleon – reads 2004-24 into the record.

Councilor Benson – I move that refer this to the Planning Board and the Ordinance Committee meeting on 3/4/04 and a public hearing at the Municipal Council meeting on 3/9/04.

Councilor Woodsom – seconded.

Voted – 7 Yes, 2 Not present (Headley, Larnard)

**2004-25 Request the Municipal Council approve plans for constructing a deck at 33 Main Street – Mayor Hildt sponsor**

President McMilleon – reads 2004-25 into the record.

Councilor Benson – I move we send this to the Ordinance Committee 3/4/04 and a public hearing at the Municipal Council meeting on 3/9/04.

Councilor Pinierio – seconded.

Vote – 7 Yes, 2 Not Present (Headley, Larnard)

## **MAYOR COMMUNICATIONS AND APPOINTMENTS**

### **2004-19 Appointment of David Cancel – member of the Parks & Recreation Commission for an unexpired term to expire 6/30/2006**

President McMilleon – reads 2004-19 into the record and asks Mr. Cancel to come to the podium.

David Cancel – I moved to Amesbury last fall from Newburyport and I just wanted to volunteer and help out.

Councilor Benson – I move for approval

Councilor Chandler – seconded

Voted – 7 Yes, 2 Not present (Headley, Larnard)

### **2004-20 Appointment of M. Lea Cabeen – member of the Parks & Recreation Commission for a term to expire 6/30/2006**

President McMilleon – reads 2004-20 into the record and explains that Lea Cabeen was not able to attend the meeting.

Councilor Benson – I move for approval of 2004-20 as submitted

Councilor Woodsom – seconded.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

### **2004-21 Appointment of Sue Dowd member of the Historical Commission for an unexpired term to expire 6/30/2004**

President McMilleon – reads 2004-21 into the record and asks Ms Dowd to speak.

Sue Dowd – Moved here from Charlestown and has her own antiques business and has a passion for old things. Interested in helping the town with preservation efforts and to help educate the community on the value preservation.

Councilor Chandler – I move to accept 2004-21

Councilor Benson – seconded.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

## **COUNCIL COMMUNICATIONS, ANNOUNCEMENTS AND COMMITTEE REPORTS**

### **2004-26 Council Rules and Procedures Amendment**

Councilor Benson – I move we approve as submitted.

President McMilleon – I would also like to add that these were what the Council in its working secession found to need immediate changes, to clean up some language and streamline it so it is a

lot clearer to the public and for our own clarity. It is not to say that we can't have future changes as the need arises. We would consider those as we go forward this year.

Councilor Pinierio – seconded.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

President McMilleon – We have a late file **2004-28 – An Act to require Information Regarding the Performance of Town Departments – Councilor Chandler sponsor, Councilor Lawrence and Councilor Benson co-sponsor**

Councilor Benson – I move that we accept this as a late file.

Councilor Lawrence – seconded.

President McMilleon – It is very important that the Council knows as early as possible that these may be coming in. We really have an obligation to get this information out to the public. I know it will only be referred tonight and we do have provisions to accept late files especially from councilors but, if it is possible please try to give us a few days notice so it can be put on the agenda.

Councilor Chandler – I apologize for not getting it in earlier but it came up kind of late. I had a meeting with the Mayor in Newburyport and I thought this is something we need and with the budget coming up fast I thought it was something we had to act on quickly.

President McMilleon – The motion was that we accept this as a late file, any other comments.

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

President McMilleon – It is on the table, let's have a recommendation.

Councilor Benson – I move that we refer 2004-28 to the 2/25/04 Finance Committee meeting and schedule a public hearing.

Councilor Lawrence – Since this is a request for information do we have to refer it? Can we bring it up for a vote tonight?

Councilor Benson – We could but I think we should refer it to committee.

Councilor King – I would appreciate it if I had more time to review the document before I had to vote on it.

Councilor Lawrence – I bring this up because it is a time sensitive document. We are asking for information from the Mayor's office. When the Mayor submits the budget for the Town we have 45 days to review it. That 45 days start in a month and a half so we are running out of time quickly. To approve this now gives the departments time, if it passes, to get this information to us. In a month and a half, six weeks they won't have enough time to respond to it.



Councilor Benson – I understand completely and tend to agree with you but, I also understand Councilors that are seeing this for a first time where they are coming from. It is just a request for information but it is a request for a lot of information.

President McMilleon – The first point I would make is that we have two Councilors that are not here tonight. The other point is we had made a decision at our last Finance Committee meeting that we were going to implement Rule 11A from our Rules and Procedures asking for much more detailed information in regard to measures that come before us in regards to funding. This whole request for additional information although it is not exactly the same it is similar in some of the cases asking for additional information that we are going to be asking for under our rules and procedures for the council. We ought to take that into consideration.

Councilor Woodsom – It does appear to be very time sensitive and it looks to be some decent information. I was wondering if the board would want to take a half hour recess to review it. It doesn't look terribly complicated and it looks like there are some good ideas, it is mostly information requests. If this waits until our March Council meeting it will be too late.

President McMilleon – We have a motion on the floor to refer to the Finance Committee and have a public hearing on 2/25/04.

Councilor Benson – I withdraw my motion.

President McMilleon – A point of clarification on this. My understanding is that anything that comes before the council for the first time gets referred and doesn't get acted upon. If you look at your council rules you will see that is the case.

We will take a five minute recess now 7:55PM.  
Back to order 8:05

President McMilleon – we still have before us 2004-28

Councilor Benson – I move that we refer both to the Finance Committee meeting on 2/25/04 and the to be announced workshop with the CFO next week.

Councilor Pinierio – second

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

President McMilleon – We need to pick a date for the workshop with Mike to go over the liaisons for the budget process. Thursday, February 19<sup>th</sup> at 7:00PM. We will be meeting at Noon on February 21<sup>st</sup> to tour the Upper Mill buildings.

### **2004-27 Finance Committee 2004 meeting Schedule**

President McMilleon – reads 2004-27 into the record.

Councilor Benson – I move for approval of 2004-27 as submitted.

Councilor Woodsom – second

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

Mike Greaney – I want to know how much we are taking out of the General Fund for interest and principal for the Cashman School and the principal and interest on the High School that is coming out of the General Fund.

Councilor Lawrence – I have made this request of Michael Basque and he is going to get that to the Council next week.

Councilor Benson – I move that we adjourn.

Councilor Pinierio – second

Voted – 7 Yes, 2 Not Present (Headley, Larnard)

Respectfully submitted,  
Christine Reed